

Waivers	First Name	Last Name	Claim Number
			W-13-0007
Amount	OGC Received Date	Assigned To	Assigned Date
\$6177.60	09/24/2013	Francis Bonds	09/25/2013
EPA Decision	EPA Decision Date	Amount Approved	Status
DENIED	12/31/2013	CLOSED	
Appeal	Appeal Date	Comments	
Yes	02/07/2014	Erroneous Within-grade;	

appeal denied 2/12/14

Thanks for your thoughtful response and request for reconsideration of my waiver decision of December 31, 2013. While your request does not present new facts, I have again reviewed the record in this case . For the reason discussed, I am denying your request for a waiver.

The facts disclose that you received a temporary promotion to GS 15 Step 6 on May 23, 2010. At that time, you had been a GS 14 Step 9. After seven months, on Nov. 21, 2010, you received a Step increase (WGI) to GS 15 Step 7. November 21, 2010 is the date you would have received a WGI to GS 14 Step 10, had you remained a GS 14 Step 9. On June 19, 2011, you were permanently promoted to GS 15 Step 7 which “should have been 15/6.”

Certainly, your temporary promotion to a GS 15 and the incorrect WGI shortly thereafter, coupled with, as you describe , the end of FICA tax withholding late in the calendar year, arguably, could have masked the reason for the \$158 bi-weekly increase in pay for the pay periods in question. However, your Leave and Earnings Statements for the affected pay periods would have revealed in Block 4 “Pay Plan/ Grade/Step” GS 15 7. In addition, as my decision indicated, a SF-50, “Notification of Personnel Action,” would have revealed that you received an erroneous step increase from GS 15 Step 6 to GS 15 Step 7. Therefore, notwithstanding the fact that the erroneous WGI occurred during a period of a temporary promotion, a reasonable person with significant experience in federal service such as you would know that receiving a WGI after only seven months in grade was an error.

I have cc'd the DFAS contact for this debt/overpayment.

Type

Within Grade Increase (WGI)

Attachments